

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON AGRICULTURE

Call to Order: By **VICE CHAIRMAN VERDELL JACKSON**, on March 6,
2003 at 3:10 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Verduell Jackson, Vice Chairman (R)
Rep. Ralph Lenhart, Vice Chairman (D)
Rep. Joan Andersen (R)
Rep. Norman Ballantyne (D)
Rep. Bob Bergren (D)
Rep. Norma Bixby (D)
Rep. Carol Lambert (R)
Rep. Bruce Malcolm (R)
Rep. Jim Peterson (R)
Rep. Brennan Ryan (D)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Thomas (R)
Rep. Karl Waitschies (R)

Members Excused: Rep. Diane Rice, Chairman (R)
Rep. Veronica Small-Eastman (D)

Members Absent: None.

Staff Present: Lisa Gallagher, Committee Secretary
Krista Lee Evans, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion
are paraphrased and condensed. Tape stamp refers to
material immediately following.

Committee Business Summary:

Hearing & Date Posted: SB 22, 2/20/2003; SB 23, 2/20/2003
Executive Action: none

HEARING ON SB 22

Sponsor: SENATOR LINDA NELSON, SD 49, Medicine Lake

Opening Statement by Sponsor:

{Tape: 1; Side: A; Approx. Time Counter: 0 - 1.4}

SEN. NELSON said that the Department of Agriculture is funded by fees for service and what this bill will do is provide for a special revenue account for this program. It provides the Department with the ability to change the fees to fund the program as they see fit.

Proponents' Testimony:

{Tape: 1; Side: A; Approx. Time Counter: 1.5 - 2.6}

Ralph Peck, Director of Montana Department of Agriculture, submitted his written testimony.

EXHIBIT(agh47a01)

Barbara Broberg, Women Involved in Farm Economics (WIFE), said that they are in support of this bill.

Bob Stevens, Montana Grain Growers Association, said that they are in support of this bill.

Chris Christiaens, Montana Farmers Union, said that they are in support of this bill.

Pam Langley, Montana Agricultural Business Association, Montana Seed Trade Association, said that they are in support of this bill.

Nancy Schlepp, Montana Farm Bureau, said that they are in support of this bill.

Opponents' Testimony: none

Questions from Committee Members and Responses:

REP. BALLANTYNE asked Director Peck if this bill has anything to do with roundup wheat. **Director Peck** said that the Montana Seed Law includes germination rules, where it is required to put a label on and the Department enforces the labeling. They could require additional information and a description could be

included dealing with roundup wheat. This issue would have to be addressed under statute. This is a consumer protection issue.

REP. SMITH asked Director Peck how the Department enforces the Canadian growers. **Director Peck** said if they produce seed then they have to follow the Montana Seed Laws. The Department does inspections and they have a good relationship with the industry, along with random border inspections. The Department does not have a lot of inspectors but the industry helps them out.

REP. SMITH asked Director Peck how they catch the people that come in at night. **Director Peck** said that the Department probably misses some of them, but that they can quarantine the seeds. The Department watches the news and checks the ads in the newspapers, and when they find one that is not licensed they stop the people from advertising.

REP. ANDERSON asked Director Peck if the Montana Seed Law covered those people who raise crops commercially. Director Peck deferred to **Larry Krum, Department of Agriculture**, who said that the law is designed so that commercial seeds are covered under the seed law.

REP. ANDERSON asked Larry Krum how they enforce this law through catalogues. **Larry Krum** said that they get some catalogues and they contact the seed companies.

REP. ANDERSON asked Larry Krum if they buy a license. **Larry Krum** said that if it is less than ten pounds that they are selling, then they do not need a license.

REP. JACKSON asked SEN. NELSON if this bill authorizes the fees by rule, so that the fees are done by the Department and not by a bill. **SEN. NELSON** said that it has a minimum and a maximum. No less than \$55 and no more than \$75.

Closing by Sponsor:

{Tape: 1; Side: A; Approx. Time Counter: 14.7 - 15.3}

SEN. NELSON said that the fees need to be changed and that is what this bill will do.

HEARING ON SB 23

Sponsor: SENATOR EDWARD BUTCHER, SD 47, Winifred

Opening Statement by Sponsor:

{Tape: 1; Side: A; Approx. Time Counter: 15.4 - 17.1}

SEN. BUTCHER submitted his written testimony.

EXHIBIT (agh47a02)

Proponents' Testimony:

Ralph Peck, Director of the Montana Department of Agriculture, said that this bill bonds for the future in case of bankruptcy. It defines in case of a lean for the bank. It makes sure that producers get paid. This bill fixes a hole with the definition of "bailment."

Barbara Broberg, WIFE, said that this bill provides added protection.

Bob Stevens, Montana Grain Growers Association, said that they are in support of this bill.

Chris Christiaens, Montana Farmers Union, said that they are in support of this bill.

Pam Langley, Montana Agriculture Business Association, said that they support this bill.

Nancy Schlepp, Montana Farm Bureau, said that they are in support of this bill.

Gary Amestoy, Richland Economic Development, said that they are in support of this bill.

Opponents' Testimony: none

Questions from Committee Members and Responses: none

Closing by Sponsor:

SEN. BUTCHER said that this is a simple bill and urged the Committee DO CONCUR.

ADJOURNMENT

Adjournment: 3:35 P.M.

REP. DIANE RICE, Chairman

LISA GALLAGHER, Secretary

DR/LG

EXHIBIT (agh47aad)